

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

TODD LEVON,)	
)	
Petitioner,)	Case No. 1:08-cv-318-SJM-SPB
)	
v.)	
)	
WARDEN FRANCISCO QUINTANA,)	
<i>et al.</i> ,)	
)	
Respondents.)	

MEMORANDUM ORDER

The instant petition for writ of habeas corpus was received by the Clerk of Court on November 17, 2008 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Report and Recommendation, filed on January 5, 2011 [55], recommends that the instant petition for writ of habeas corpus be dismissed as moot. Petitioner was allowed fourteen (14) days from the date of service in which to file objections. His objection [56] were filed on January 20, 2011. After de novo review of the petition and documents in the case, together with the Report and Recommendation and Petitioner's objections thereto, the following order is entered:

AND NOW, this 24th Day of January, 2011;

IT IS ORDERED that the Petition for Writ of Habeas Corpus be, and hereby is, DISMISSED as moot.

The Report and Recommendation of Magistrate Judge Baxter, filed on January 5, 2011 [55], is adopted as the opinion of the Court.

s/ Sean J. McLaughlin

SEAN J. McLAUGHLIN
United States District Judge

cm: All parties of record

U.S. Magistrate Judge Susan Paradise Baxter